

# HOUSE BILL No. 1381

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-5-2-5.7; IC 3-8; IC 3-13.

**Synopsis:** Public official bonding. Provides that if an individual elected to an office is required to file a personal surety bond under Indiana law, a candidate for that office must file with the candidate's candidacy document a statement from a surety company authorized to do business in Indiana stating: (1) that the surety company will give a surety bond in the amount required by Indiana law for that office to cover the candidate, if elected to office; and (2) the cost of the bond. Provides that this requirement does not apply to candidates for federal office or candidates for an office created by the Constitution of the State of Indiana.

**Effective:** July 1, 2015.

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January 14, 2015, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1381

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A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 3-5-2-5.7 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2015]: **Sec. 5.7. "Candidacy document" refers to any of the**  
4 **following:**  
5       **(1) A declaration of intent to be a write-in candidate.**  
6       **(2) A declaration of candidacy.**  
7       **(3) A consent to the nomination.**  
8       **(4) A consent to become a candidate.**  
9       **(5) A certificate of candidate selection.**  
10       **(6) A consent filed under IC 3-13-2-7.**  
11       **(7) A statement filed under IC 33-24-2 or IC 33-25-2.**  
12       SECTION 2. IC 3-8-1-35 IS ADDED TO THE INDIANA CODE  
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
14 1, 2015]: **Sec. 35. (a) This section applies only to an election held**  
15 **after December 31, 2015.**



**(b) This section does not apply to either of the following:**

**(1) A candidate for a federal office.**

**(2) A candidate for an office established by the Constitution of the State of Indiana.**

**(c) If an individual elected to an office is required to file a personal surety bond under IC 5-4-1 or any other Indiana law, a candidate for that office must file with the candidate's candidacy document a statement from a surety company authorized to do business in Indiana stating the following:**

**(1) That the surety company will give a surety bond in the amount required by Indiana law for that office to cover the candidate, if elected to the office.**

**(2) The cost of the bond.**

SECTION 3. IC 3-8-2-2.5, AS AMENDED BY P.L.76-2014, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2.5. (a) A person who desires to be a write-in candidate for a federal, state, legislative, or local office or school board office in a general, municipal, or school board election must file a declaration of intent to be a write-in candidate with the officer with whom declaration of candidacy must be filed under sections 5 and 6 of this chapter.

(b) The declaration of intent to be a write-in candidate required under subsection (a) must be signed before a person authorized to administer oaths and must certify the following information:

(1) The candidate's name must be printed or typewritten as:

(A) the candidate wants the candidate's name to be certified; and

(B) the candidate's name is permitted to appear under IC 3-5-7.

(2) A statement that the candidate is a registered voter and the location of the candidate's precinct and township (or ward and city or town), county, and state.

(3) The candidate's complete residence address, and if the candidate's mailing address is different from the residence address, the mailing address.

(4) The candidate's party affiliation or a statement that the candidate is an independent candidate (not affiliated with any party). The candidate may not claim affiliation with any political party described by IC 3-8-4-1.

(5) A statement of the candidate's intention to be a write-in candidate, the name of the office, including the district, and the date and type of election.

(6) If the candidate is a candidate for the office of President or



Vice President of the United States, a statement declaring the names of the individuals who have consented and are eligible to be the candidate's candidates for presidential electors.

(7) The following statements:

(A) A statement that the candidate has attached either of the following to the declaration:

(i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(ii) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

This requirement does not apply to a candidate for a federal office.

(B) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. **The candidate must attach the statement required by IC 3-8-1-35, if applicable.** This **requirement clause** does not apply to a candidate for a federal office or legislative office.

(C) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This **requirement clause** does not apply to a candidate for a federal office, state office, or legislative office.

(D) A statement that the candidate:

(i) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(ii) agrees to comply with the provisions of IC 3-9.

This **requirement clause** does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subdivision.

(8) A statement as to whether the candidate has:

(A) been a candidate for state or local office in a previous primary or general election; and

(B) filed all reports required by IC 3-9-5-10 for all previous candidacies.

(9) If the candidate is subject to IC 3-9-1-5, a statement that the candidate has filed a campaign finance statement of organization



for the candidate's principal committee or is aware that the candidate may be required to file a campaign finance statement of organization not later than noon seven (7) days after the final date to file the declaration of intent to be a write-in candidate under section 4 of this chapter.

(10) If the candidate is subject to IC 3-9-1-5.5, a statement that the candidate is required to file a campaign finance statement of organization under IC 3-9 after the first of either of the following occurs:

(A) The candidate receives more than five hundred dollars (\$500) in contributions.

(B) The candidate makes more than five hundred dollars (\$500) in expenditures.

(11) A statement that the candidate complies with all requirements under the laws of Indiana to be a candidate for the above named office, including any applicable residency requirements, and that the candidate is not ineligible to be a candidate due to a criminal conviction that would prohibit the candidate from serving in the office.

(12) The candidate's signature and telephone number.

(c) At the time of filing the declaration of intent to be a write-in candidate, the write-in candidate is considered a candidate for all purposes.

(d) A write-in candidate must comply with the requirements under IC 3-8-1 that apply to the office to which the write-in candidate seeks election.

(e) A person may not be a write-in candidate in a contest for nomination or for election to a political party office.

(f) A write-in candidate for the office of President or Vice President of the United States must list at least one (1) candidate for presidential elector and may not list more than the total number of presidential electors to be chosen in Indiana.

(g) The commission shall provide that the form of a declaration of intent to be a write-in candidate includes the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(h) A declaration of intent to be a write-in candidate must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of intent to be a write-in candidate. If there is a difference between the name on the candidate's declaration of intent to



1 be a write-in candidate and the name on the candidate's voter  
 2 registration record, the officer with whom the declaration of intent to  
 3 be a write-in candidate is filed shall forward the information to the  
 4 voter registration officer of the appropriate county as required by  
 5 IC 3-5-7-6(e). The voter registration officer of the appropriate county  
 6 shall change the name on the candidate's voter registration record to be  
 7 the same as the name on the candidate's declaration of intent to be a  
 8 write-in candidate.

9 SECTION 4. IC 3-8-2-7, AS AMENDED BY P.L.76-2014,  
 10 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2015]: Sec. 7. (a) The declaration of each candidate required  
 12 by this chapter must be signed before a person authorized to administer  
 13 oaths and contain the following information:

14 (1) The candidate's name, printed or typewritten as:

15 (A) the candidate wants the candidate's name to appear on the  
 16 ballot; and

17 (B) the candidate's name is permitted to appear on the ballot  
 18 under IC 3-5-7.

19 (2) A statement that the candidate is a registered voter and the  
 20 location of the candidate's precinct and township (or ward and  
 21 city or town), county, and state.

22 (3) The candidate's complete residence address, and if the  
 23 candidate's mailing address is different from the residence  
 24 address, the mailing address.

25 (4) A statement of the candidate's party affiliation. For purposes  
 26 of this subdivision, a candidate is considered to be affiliated with  
 27 a political party only if ~~any~~ **either** of the following applies:

28 (A) The most recent primary election in Indiana in which the  
 29 candidate voted was a primary election held by the party with  
 30 which the candidate claims affiliation.

31 (B) The county chairman of:

32 (i) the political party with which the candidate claims  
 33 affiliation; and

34 (ii) the county in which the candidate resides;

35 certifies that the candidate is a member of the political party.  
 36 The declaration of candidacy must inform candidates how party  
 37 affiliation is determined under this subdivision and permit the  
 38 candidate to indicate on the declaration of candidacy which of  
 39 clauses (A) or (B) applies to the candidate. If a candidate claims  
 40 party affiliation under clause (B), the candidate must attach to the  
 41 candidate's declaration of candidacy the written certification of  
 42 the county chairman required by clause (B).



(5) A statement that the candidate complies with all requirements under the laws of Indiana to be a candidate for the above named office, including any applicable residency requirements, and that the candidate is not ineligible to be a candidate due to a criminal conviction that would prohibit the candidate from serving in the office.

(6) A request that the candidate's name be placed on the official primary ballot of that party to be voted on, the office for which the candidate is declaring, and the date of the primary election.

(7) The following statements:

(A) A statement that the candidate has attached either of the following to the declaration:

(i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(ii) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

This **requirement clause** does not apply to a candidate for a federal office.

(B) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. **The candidate must attach the statement required by IC 3-8-1-35, if applicable.** This **requirement clause** does not apply to a candidate for a federal office or legislative office.

(C) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This **requirement clause** does not apply to a candidate for a federal office, state office, or legislative office.

(D) A statement that the candidate:

(i) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(ii) agrees to comply with the provisions of IC 3-9.

This **requirement clause** does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subdivision.

(8) A statement as to whether the candidate has been a candidate



for state, legislative, or local office in a previous primary, municipal, special, or general election and whether the candidate has filed all reports required by IC 3-9-5-10 for all previous candidacies.

(9) If the candidate is subject to IC 3-9-1-5, a statement that the candidate has filed a campaign finance statement of organization for the candidate's principal committee or is aware that the candidate may be required to file a campaign finance statement of organization not later than noon seven (7) days after the final date to file the declaration of candidacy under section 11 of this chapter.

(10) The candidate's signature.

(b) The commission shall provide that the form of a declaration of candidacy includes the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(c) A declaration of candidacy must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of candidacy. If there is a difference between the name on the candidate's declaration of candidacy and the name on the candidate's voter registration record, the officer with whom the declaration of candidacy is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy.

SECTION 5. IC 3-8-5-10.5, AS AMENDED BY P.L.76-2014, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.5. (a) A person who desires to be nominated for a town office by a major political party must file a declaration of candidacy with the circuit court clerk of the county containing the greatest percentage of population of the town.

(b) A declaration of candidacy must be filed:

(1) not earlier than the first date that a declaration of candidacy for a primary election may be filed under IC 3-8-2-4; and

(2) not later than:

(A) noon August 1 before a municipal election if the town nominates its candidates by convention; and

(B) the date that a declaration of candidacy must be filed under IC 3-8-2-4 if the town nominates its candidates by a primary





- 1 election.
- 2 (c) The declaration must be subscribed and sworn to (or affirmed)
- 3 before a notary public or other person authorized to administer oaths.
- 4 (d) The declaration of each candidate required by this section must
- 5 certify the following information:
- 6 (1) The candidate's name, printed or typewritten as:
- 7 (A) the candidate wants the candidate's name to appear on the
- 8 ballot; and
- 9 (B) the candidate's name is permitted to appear on the ballot
- 10 under IC 3-5-7.
- 11 (2) That the candidate is a registered voter and the location of the
- 12 candidate's precinct and township (or the ward and town), county,
- 13 and state.
- 14 (3) The candidate's complete residence address and the
- 15 candidate's mailing address if the mailing address is different
- 16 from the residence address.
- 17 (4) The candidate's party affiliation and the office to which the
- 18 candidate seeks nomination, including the district designation if
- 19 the candidate is seeking a town legislative body seat.
- 20 (5) That the candidate complies with all requirements under the
- 21 laws of Indiana to be a candidate for the above named office,
- 22 including any applicable residency requirements, and is not
- 23 ineligible to be a candidate due to a criminal conviction that
- 24 would prohibit the candidate from serving in the office.
- 25 (6) That the candidate has attached either of the following to the
- 26 declaration:
- 27 (A) A copy of a statement of economic interests, file stamped
- 28 by the office required to receive the statement of economic
- 29 interests.
- 30 (B) A receipt or photocopy of a receipt showing that a
- 31 statement of economic interests has been filed.
- 32 (7) That the candidate understands that if the candidate is elected
- 33 to the office, the candidate may be required to obtain and file an
- 34 individual surety bond before serving in the office. **The**
- 35 **candidate must attach the statement required by IC 3-8-1-35,**
- 36 **if applicable.**
- 37 (8) That the candidate understands that if the candidate is elected
- 38 to the office, the candidate may be required to successfully
- 39 complete training or have attained certification related to service
- 40 in an elected office.
- 41 (9) That the candidate:
- 42 (A) is aware of the provisions of IC 3-9 regarding campaign



1 finance and the reporting of campaign contributions and  
 2 expenditures; and

3 (B) agrees to comply with the provisions of IC 3-9.

4 (10) The candidate's signature.

5 (e) This subsection does not apply to a town whose municipal  
 6 election is to be conducted by a county. Immediately after the deadline  
 7 for filing, the circuit court clerk shall do all of the following:

8 (1) Certify to the town clerk-treasurer and release to the public a  
 9 list of the candidates of each political party for each office. The  
 10 list shall indicate any candidates of a political party nominated for  
 11 an office under this chapter because of the failure of any other  
 12 candidates of that political party to file a declaration of candidacy  
 13 for that office.

14 (2) Post a copy of the list in a prominent place in the circuit court  
 15 clerk's office.

16 (3) File a copy of each declaration of candidacy with the town  
 17 clerk-treasurer.

18 (f) A person who files a declaration of candidacy for an elected  
 19 office for which a per diem or salary is provided for by law is  
 20 disqualified from filing a declaration of candidacy for another office for  
 21 which a per diem or salary is provided for by law until the original  
 22 declaration is withdrawn.

23 (g) A person who files a declaration of candidacy for an elected  
 24 office may not file a declaration of candidacy for that office in the same  
 25 year as a member of a different political party until the original  
 26 declaration is withdrawn.

27 (h) A person who files a declaration of candidacy under this section  
 28 may file a written notice withdrawing the person's declaration of  
 29 candidacy in the same manner as the original declaration was filed, if  
 30 the notice of withdrawal is filed not later than:

31 (1) noon August 1 before the municipal election if the town  
 32 nominates its candidates by convention; and

33 (2) the date that a declaration of candidacy may be withdrawn  
 34 under IC 3-8-2-20 if the town nominates its candidates in a  
 35 primary election.

36 (i) A declaration of candidacy must include a statement that the  
 37 candidate requests the name on the candidate's voter registration record  
 38 be the same as the name the candidate uses on the declaration of  
 39 candidacy. If there is a difference between the name on the candidate's  
 40 declaration of candidacy and the name on the candidate's voter  
 41 registration record, the officer with whom the declaration of candidacy  
 42 is filed shall forward the information to the voter registration officer of



the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy.

SECTION 6. IC 3-8-6-12, AS AMENDED BY P.L.76-2014, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. (a) A petition of nomination for an office filed under section 10 of this chapter must be filed with and, except as provided in subsection (d), certified by the person with whom a declaration of candidacy must be filed under IC 3-8-2.

(b) The petition of nomination must be accompanied by the following:

(1) The candidate's written consent to become a candidate.

(2) The following statements:

(A) A statement that the candidate has attached either of the following to the petition:

(i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(ii) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

This **requirement clause** does not apply to a candidate for a federal office.

(B) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. **The candidate must attach the statement required by IC 3-8-1-35, if applicable.** This **requirement clause** does not apply to a candidate for a federal office or legislative office.

(C) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This **requirement clause** does not apply to a candidate for a federal office, state office, or legislative office.

(D) A statement that the candidate:

(i) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(ii) agrees to comply with the provisions of IC 3-9.

This **requirement clause** does not apply to a candidate for a



- 1 federal office.
- 2 The candidate must separately initial each of the statements
- 3 required by this subdivision.
- 4 (3) If the candidate is subject to IC 3-9-1-5, a statement by the
- 5 candidate that the candidate has filed a campaign finance
- 6 statement of organization under IC 3-9-1-5 or is aware that the
- 7 candidate may be required to file a campaign finance statement of
- 8 organization not later than noon seven (7) days after the final date
- 9 for filing a petition for nomination under section 10 of this
- 10 chapter.
- 11 (4) If the candidate is subject to IC 3-9-1-5.5, a statement by the
- 12 candidate that the candidate is aware of the requirement to file a
- 13 campaign finance statement of organization under IC 3-9 after the
- 14 first of either of the following occurs:
- 15 (A) The candidate receives more than five hundred dollars
- 16 (\$500) in contributions.
- 17 (B) The candidate makes more than five hundred dollars
- 18 (\$500) in expenditures.
- 19 (5) A statement indicating whether or not each candidate:
- 20 (A) has been a candidate for state or local office in a previous
- 21 primary or general election; and
- 22 (B) has filed all reports required by IC 3-9-5-10 for all
- 23 previous candidacies.
- 24 (6) A statement that each candidate is legally qualified to hold the
- 25 office that the candidate seeks, including any applicable residency
- 26 requirements and restrictions on service due to a criminal
- 27 conviction.
- 28 (7) If the petition is filed with the secretary of state for an office
- 29 not elected by the electorate of the whole state, a statement signed
- 30 by the circuit court clerk of each county in the election district of
- 31 the office sought by the individual.
- 32 (8) Any statement of economic interests required under
- 33 IC 3-8-1-33.
- 34 (c) The statement required under subsection (b)(7) must:
- 35 (1) be certified by each circuit court clerk; and
- 36 (2) indicate the number of votes cast for secretary of state:
- 37 (A) at the last election for secretary of state; and
- 38 (B) in the part of the county included in the election district of
- 39 the office sought by the individual filing the petition.
- 40 (d) The person with whom the petition of nomination must be filed
- 41 under subsection (a) shall:
- 42 (1) determine whether a sufficient number of signatures as



required by section 3 of this chapter have been obtained; and

(2) do one (1) of the following:

(A) If the petition includes a sufficient number of signatures, certify the petition.

(B) If the petition has an insufficient number of signatures, deny the certification.

(e) The secretary of state shall, by noon on the date specified under IC 3-8-7-16 for the certification of candidates and public questions by the election division:

(1) certify; or

(2) deny certification under subsection (d) to; each petition of nomination filed in the secretary of state's office to the appropriate county.

(f) The commission shall provide that the form of a petition of nomination includes the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(g) A candidate's consent to become a candidate must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the consent to become a candidate. If there is a difference between the name on the candidate's consent to become a candidate and the name on the candidate's voter registration record, the officer with whom the consent to become a candidate is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's consent to become a candidate.

(h) If the person with whom the petition was filed denies certification under subsection (d), the person shall notify the candidate immediately by certified mail.

(i) A candidate may contest the denial of certification under subsection (d) based on:

(1) the circuit court clerk's or board of registration's failure to certify, under section 8 of this chapter, qualified petitioners; or

(2) the determination described in subsection (d)(1);

using the procedure in IC 3-8-1-2 and section 14 of this chapter that applies to questions concerning the validity of a petition of nomination.

SECTION 7. IC 3-8-7-8, AS AMENDED BY P.L.76-2014, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) This section applies to a state convention



1 conducted by a political party described by IC 3-8-4-1.

2 (b) The state chairman and state secretary of the political party  
3 holding the state convention shall certify each candidate nominated at  
4 the convention to the secretary of state not later than noon July 15  
5 before the general election.

6 (c) The certificate must be in writing and state the following:

7 (1) The name of each candidate nominated as:

8 (A) the candidate wants the candidate's name to appear on the  
9 ballot; and

10 (B) the candidate's name is permitted to appear on the ballot  
11 under IC 3-5-7.

12 (2) Each candidate's residence address.

13 (3) Whether each candidate nominated by the convention has  
14 complied with IC 3-9-1-5 by filing a campaign finance statement  
15 of organization.

16 (4) The following statements:

17 (A) A statement that the candidate has attached either of the  
18 following to the certificate:

19 (i) A copy of a statement of economic interests, file stamped  
20 by the office required to receive the statement of economic  
21 interests.

22 (ii) A receipt or photocopy of a receipt showing that a  
23 statement of economic interests has been filed.

24 This ~~requirement clause~~ does not apply to a candidate for a  
25 federal office.

26 (B) A statement that the candidate understands that if the  
27 candidate is elected to the office, the candidate may be  
28 required to obtain and file an individual surety bond before  
29 serving in the office. **The candidate must attach the**  
30 **statement required by IC 3-8-1-35, if applicable.** This  
31 ~~requirement clause~~ does not apply to a candidate for a federal  
32 office or legislative office.

33 (C) A statement that the candidate understands that if the  
34 candidate is elected to the office, the candidate may be  
35 required to successfully complete training or have attained  
36 certification related to service in an elected office. This  
37 ~~requirement clause~~ does not apply to a candidate for a federal  
38 office, state office, or legislative office.

39 (D) A statement that the candidate:

40 (i) is aware of the provisions of IC 3-9 regarding campaign  
41 finance and the reporting of campaign contributions and  
42 expenditures; and



(ii) agrees to comply with the provisions of IC 3-9.

This ~~requirement~~ **clause** does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subdivision.

(d) The commission shall prescribe the form of the certificate of nomination for the offices. The commission shall provide that the form of the certificate of nomination include the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(e) A certificate of nomination must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the certificate of nomination. If there is a difference between the name on the candidate's certificate of nomination and the name on the candidate's voter registration record, the officer with whom the certificate of nomination is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's certificate of nomination.

(f) The certificate of nomination must be signed by the state chairman and state secretary of the political party holding the convention, and set forth the name and residence of the chairman and secretary. The chairman and secretary shall acknowledge the certificate before an individual authorized to administer oaths under IC 33-42-4-1. The signed acknowledgment must be included in the certificate of nomination executed under this section.

SECTION 8. IC 3-13-1-10.5, AS AMENDED BY P.L.76-2014, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.5. (a) A person who wishes to be a candidate for appointment to fill a candidate vacancy under this chapter must file a declaration of candidacy on a form prescribed by the commission with:

(1) the chairman of the caucus or committee conducting a meeting under this chapter; and

(2) the official who is required to receive a certificate of candidate selection following the caucus under section 15 of this chapter; at least seventy-two (72) hours before the time fixed for the caucus or committee meeting.

(b) A candidate's declaration of candidacy must include a statement



that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of candidacy. If there is a difference between the name on the candidate's declaration of candidacy and the name on the candidate's voter registration record, the officer with whom the declaration of candidacy is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy.

(c) A candidate's declaration of candidacy must contain the following statements:

(1) A statement that the candidate has attached either of the following to the declaration:

(A) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(B) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office.

(2) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. **The candidate must attach the statement required by IC 3-8-1-35, if applicable.** This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office or legislative office.

(3) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office, state office, or legislative office.

(4) A statement that the candidate:

(A) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(B) agrees to comply with the provisions of IC 3-9.

This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subsection.





SECTION 9. IC 3-13-2-7, AS AMENDED BY P.L.76-2014, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) The selection of a person as a candidate under this chapter is not effective unless:

(1) the person's written consent is obtained and filed:

(A) in the office in which certificates and petitions of nomination must be filed; and

(B) when the certificate is filed; and

(2) the candidate has complied with any requirement under IC 3-8-1-33 to file a statement of economic interests.

(b) A candidate's consent must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the consent. If there is a difference between the name on the candidate's consent and the name on the candidate's voter registration record, the officer with whom the consent is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's consent.

(c) A candidate's consent must contain the following statements:

(1) A statement that the candidate has attached either of the following to the consent:

(A) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(B) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office.

(2) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. **The candidate must attach to the consent the statement required by IC 3-8-1-35, if applicable.** This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office or legislative office.

(3) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This ~~requirement~~ **subdivision** does not apply to a candidate for a federal office,



1 state office, or legislative office.  
2 (4) A statement that the candidate:  
3 (A) is aware of the provisions of IC 3-9 regarding campaign  
4 finance and the reporting of campaign contributions and  
5 expenditures; and  
6 (B) agrees to comply with the provisions of IC 3-9.  
7 This ~~requirement~~ **subdivision** does not apply to a candidate for a  
8 federal office.  
9 The candidate must separately initial each of the statements required  
10 by this subsection.

